

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ortyn et al. Attorney Docket No. BIOL0038

Serial No.: 10/082,805 Group Art Unit: 1641

Filed: February 21, 2002 Examiner: Yang, Nelson C.

Confirmation No. 2051

Title: METHOD AND APPARATUS FOR LABELING AND ANALYZING
CELLULAR COMPONENTS

FOR ELECTRONIC FILING

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Bellevue, Washington 98004

February 26, 2008

TO THE COMMISSIONER FOR PATENTS:

Applicant is aware of the information listed in the attached form that may be material to the prosecution of the above-identified patent application.

- ☒ 1. Copies of the listed Foreign Patent Documents and Other Information are submitted for the Examiner's use.
- ☐ 2. Copies of the listed patents, publications, and other information were previously cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. § 120.
- ☐ 3. Documents cited herein marked with an "***" have not previously been cited in a priority application relied upon herein for an earlier filing date. Copies of any so-noted Foreign Patent Documents and Other Information are submitted for the Examiner's use.
- ☐ 4. A concise explanation of the relevance of document I.D. No. _____ (which is not in the English language), as presently understood by the individual designated under 37 C.F.R. § 1.56(c) most knowledgeable about its content, is provided _____.
- ☐ 5. Pursuant to 37 C.F.R. § 1.97(b), this information disclosure statement is being filed within three months of the filing date of the national application, within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits.

6. Submission with RCE: Pursuant to 37 C.F.R. § 1.114, this information disclosure statement is being submitted concurrently with a Request for Continued Examination (RCE) in the above-identified application.

X 7. Pursuant to 37 C.F.R. § 1.97(c), this information disclosure statement is being filed after the period set forth in 37 C.F.R. § 1.97(b) but before the mailing date of either a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, and is accompanied by:

a. X a certification as specified in 37 C.F.R. § 1.97(e) (*see below*); or

b. _____ the fee set forth in 37 C.F.R. § 1.17(p). Fees in the amount of \$ _____ will be charged to a credit card during electronic submission.

____ 8. Pursuant to 37 C.F.R. § 1.97(d), this information disclosure statement is being filed after the mailing date of either:

a. _____ a final action under 37 C.F.R. § 1.113; or

b. _____ a notice of allowance under 37 C.F.R. § 1.311,

but before payment of the issue fee. The statement is accompanied by a certification as specified in 37 C.F.R. § 1.97(e), a statement requesting consideration of the information disclosure statement, and the petition fee set forth in 37 C.F.R. § 1.17(p). Fees in the amount of \$_____ will be charged to a credit card during electronic submission.

X 9. Certification Under 37 C.F.R. § 1.97(e)(2): The undersigned hereby certifies that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to my knowledge, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

X 10. Electronic Filing Authorization to Charge Deposit Account: Please charge any additional fees or credit any overpayment to Deposit Account No. 01-1940.

Respectfully submitted,

/mike king/
Michael C. King
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